

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

545B0565

HOUSE BILL NO. 1248

Introduced by: Representatives Roe, Broderick, Moore, and Schaunaman and Senators
Munson (David) and Shoener

1 FOR AN ACT ENTITLED, An Act to authorize off-sale alcoholic beverage licensees to provide
2 free samples of distilled spirits.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 35-4-10.2 be amended to read as follows:

5 35-4-10.2. A licensee holding a license pursuant to subdivision (3) or (5) of § 35-4-2 may
6 provide samples of wine, distilled spirits, liqueurs, and cordials to the general public without
7 obtaining an additional license. The licensee may only offer as samples the wine, distilled spirits,
8 liqueurs, and cordials that ~~he~~ the licensee currently has in stock and is offering for sale to the
9 general public. The wine, distilled spirits, liqueur, and cordial samples shall be dispensed at no
10 charge and shall be consumed on the licensed premises during the permitted hours of off-sale.
11 No sample of wine may be larger than fifty milliliters and no sample of distilled spirits, liqueur,
12 or cordial may be larger than twenty-five milliliters. No more than one variety of wine and one
13 variety of distilled spirits, liqueur, or cordial may be offered for sampling in any one day, and no
14 more than one sample of wine and no more than one sample of distilled spirits, liqueur, or cordial
15 may be offered or dispensed to any individual. No wine, distilled spirits, liqueur, or cordial may

1 be offered for sampling on any Sunday. A violation of this section is a Class 1 misdemeanor.